

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Michael Perrott

Title: METHOD AND APPARATUS FOR ACQUIRING A FREQUENCY  
WITHOUT A REFERENCE CLOCK

Application No.: 09/888,663

Filed: June 25, 2001

Examiner: K. Glenn

Group Art Unit: 2817

Atty. Docket No.: 026-0012

November 21, 2002

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**RESPONSE TO NON-FINAL OFFICE ACTION** TECHNOLOGY CENTER 2800

This paper is responsive to a NON-FINAL Office action dated August 21, 2002, having a shortened statutory period for response set to expire November 21, 2002

REMARKS

Claims 1-35 are pending in the application. Claims 1, 3, 4, 16, 17 and 19 stand provisionally rejected under the judicially created doctrine of obviousness type double patenting as being unpatentable over claims 2, 6-8, 16 and 64 of copending Application No. 09/902,541. Applicant appreciates that claims 2, 5-15, 18 and 20-22 are indicated as containing allowable subject matter and that claims 23-35 are allowed.

Applicant appreciates the courtesy extended by the Examiner during the interview conducted on 11/21/2002. The positions presented to the Examiner during the interview are set forth below.

The applicant traverses the rejection for obviousness-type double patenting because applicant respectfully submits that rejected claims 1, 3, 4, 16, 17 and 19 are patentably distinct from claims 2, 6-8, 16 and 64 of copending Application No. 09/902,541 for the reasons given herein.

5/Response  
J. Mackey  
12-4-02